

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

| | | |
|--------------------------------------|---|-----------------|
| APPLICATION OF LEXINGTON MSA LIMITED |) | |
| PARTNERSHIP FOR ISSUANCE OF A |) | |
| CERTIFICATE OF PUBLIC CONVENIENCE |) | |
| AND NECESSITY TO CONSTRUCT AN |) | |
| ADDITIONAL CELL SITE IN LEXINGTON, |) | CASE NO. 96-001 |
| KENTUCKY FOR THE PROVISION OF |) | |
| DOMESTIC PUBLIC CELLULAR RADIO |) | |
| TELECOMMUNICATIONS SERVICE TO THE |) | |
| PUBLIC IN THE LEXINGTON MSA |) | |

O R D E R

On January 10, 1996, the Commission received the attached letter from Golda Mustard and Earl Thomas (hereinafter referred to as "Petitioners") regarding the proposed cellular telecommunications facility to be located at the Waller Place Condominiums, Waller Avenue, Lexington, Fayette County, Kentucky.

IT IS THEREFORE ORDERED that:

1. Lexington MSA Limited Partnership ("Lexington MSA") shall respond to Petitioners' questions by certified letter, within 10 days of the date of this Order.

2. Lexington MSA shall file a copy of the certified letter and dated receipt, within 7 days of the date on the receipt.

Done at Frankfort, Kentucky, this 18th day of January, 1996.

ATTEST:


Executive Director

PUBLIC SERVICE COMMISSION


For the Commission

January 8, 1996

Executive Director's Office,
Public Service Commission of Kentucky
Post Office Box 615
Frankfort, Kentucky 40602

RECEIVED

JAN 10 1996

PUBLIC SERVICE
COMMISSION

Reference: Case No. 96-001

We are not knowledgeable of any details concerning the placing of a cellular tower and operations building on our Waller Avenue Condominium property as mentioned in a letter received this week from Sam G. McNamara, attorney for Lexington MSA which has applied for permissions to construct a cellular service here.

There are a number of things which cause us concern. How will this affect the value of our property and more particularly our own condominium? Will this cause interference in our television reception? Will it be an automatic or manned facility? Will there be any impact to our parking area? Is the area to be used covered by a lease and for what duration, or sale? Will the income generated be used by our association and how, or will it be divided among the owners?

Unless we have a better understanding that this installation will benefit us by being here, we are inclined to be in opposition to it's construction.

Sincerely,

Golda L. Mustard Earl W. Thomas

Golda Mustard and Earl Thomas
Unit 3H Waller Place Condominiums
342 Waller Avenue
Lexington, Ky. 40503